

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, FEBRUARY 18, 1986
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:08 a.m. Deputy Mayor Struiksma recessed the meeting at 12:06 p.m. to reconvene at 2:00 p.m. and to convene the Special Joint meeting of the City Council/Redevelopment Agency.

The meeting was reconvened by Deputy Mayor Struiksma at 2:10 p.m. with all Council members present. The meeting was recessed by Deputy Mayor Struiksma at 4:43 p.m. to reconvene the Special Joint meeting of the City Council/Redevelopment Agency. The meeting was reconvened by Deputy Mayor Struiksma at 5:20 p.m. with Council Members Cleator and Gotch not present. The meeting was recessed by Deputy Mayor Struiksma at 5:21 p.m. to reconvene the Special Joint meeting of the City Council/Redevelopment Agency. The meeting was reconvened by Deputy Mayor Struiksma at 6:31 p.m. with Council Members Wolfsheimer, Cleator, McColl, Gotch and Martinez not present, and immediately adjourned to meet in Closed Session on Monday, February 24, 1986 at 1:30 p.m. in the twelfth floor conference room regarding pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (mp:jb)

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present

- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Reverend Ellis Casson, Bethel
A.M.E. Church, San Diego.

FILE: MINUTES

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ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Jones.

FILE: MINUTES

Feb-18-1986

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

02/03/86

02/04/86

02/04/86 Special Joint

FILE: MINUTES

COUNCIL ACTION: (Tape location: A034-038.)

MOTION BY McCOLL TO APPROVE THE MINUTES. Second by Martinez.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.

ITEM-31: GRANTED REQUEST FOR HEARING ON MARCH 17, 1986, AT 2:00
P.M.

Matter of the request of Dorothea G. Kempf, et al (45
appellants), for a hearing of an appeal from the decision
of the Planning Commission in granting Planned Residential
Development Permit PRD-84-0193.1, (Canyon View) which
proposes to develop nine detached single-family units on
nine lots comprising a total site area of 0.85 acres. The
subject property is located at 4561 54th Street between El

Cajon Boulevard and Adams Avenue in Zones R-600 and R1-5000, in the State University Community Plan area, and is further described as portion of Lot 15, Collwood Unit 1, Map-2401 and a portion of Lot 11, Redland Tract, Map-732. (PRD-84-0193.1. District-7.)

A motion granting or denying the request for a hearing of the appeal.

FILE: PERM PRD-84-0193

COUNCIL ACTION: (Tape location: A040-095.)

MOTION BY McCARTY TO GRANT THE REQUEST FOR A HEARING AND TO SET MARCH 17, 1986, 2:00 P.M., AS THE DATE AND TIME FOR THE HEARING.

Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-50: (O-86-110) ADOPTED AS ORDINANCE O-16595 (New Series)

Incorporating Parcels 1 and 2, Map-10172 (1.2 acres), which is the entire city block bounded by Sixth and Fifth Avenues and Ivy and Juniper Streets, into Zone C.

(Case-84-0648. Uptown Community Area. District-8.

Introduced on 2/4/86. Council voted 6-0. Districts 3 and 6 not present. Mayor vacant.)

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A393-409.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-51: (O-86-131) ADOPTED AS ORDINANCE O-16596 (New Series)

Incorporating Lot 44, Block 31 of Fleisher's Addition, Map-811 (an approximately .17-acre site), located on the north side of Washington Street between 8th Avenue and Highway 163, into Zone CO.

(Case-85-0391. Uptown Community Area. District-2.

Introduced on 2/4/86. Council voted 6-0. Districts 3 and 6 not present. Mayor vacant.)

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A393-409.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

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* ITEM-52: (O-86-109) ADOPTED AS ORDINANCE O-16597 (New
Series)

Amending Section 2 of Ordinance O-16456 (New Series),
adopted July 1, 1985, by amending the Carmel Mountain Ranch
Special Sign District Guidelines.

(Case-84-0771.1. Carmel Mountain Ranch Community Area.

District-1. Introduced on 2/4/86. Council voted 6-0.

Districts 3 and 6 not present. Mayor vacant.)

FILE: LAND - Carmel Mtn. Ranch Special Sign District

COUNCIL ACTION: (Tape location: A393-409.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

* ITEM-53: (O-86-132) ADOPTED AS ORDINANCE O-16598 (New
Series)

Establishing a Parking Meter Zone with a parking time limit
of two hours between 8:00 a.m. and 6:00 p.m., Sundays and
certain holidays excepted, on both sides of First Avenue
between Elm and Fir Streets.

(Uptown Community Area. District-8. Introduced on 2/3/86.

Council voted 7-0. District 3 not present. Mayor vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A393-409.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

ITEM-54: (O-86-137 Rev.1) INTRODUCED, TO BE ADOPTED MARCH 3,
1986

Introduction of an Ordinance amending Chapter IV, Article
2, Division 1, of the San Diego Municipal Code by amending

Sections 42.0130 and 42.0130.1 and by adding Sections 42.0130.2, 42.0130.3, 42.0132.2 and 42.0132.3 and by repealing Sections 42.0135 and 42.0136, relating to Vending Vehicles or Mobile Food Preparation Vehicles (hot trucks).

(See City Manager Report CMR-85-502 with attachments; Committee Consultant Analysis PSS-85-37.)

(Introduced as amended on 2/3/86. Council voted 7-0.

District 3 not present. Mayor vacant.)

COMMITTEE ACTION: Reviewed by PSS on 12/18/85. Recommendation to introduce the Ordinance. Districts 1, 3, 7 and 8 voted yea.

District 4 not present.

FILE: - -

COUNCIL ACTION: (Tape location: A426-620.)

MOTION BY GOTCH TO INTRODUCE. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-55: (O-86-144) INTRODUCED, TO BE ADOPTED MARCH 3, 1986

Introduction of an Ordinance amending Chapter V, Article 9, Division 1, of the San Diego Municipal Code, by amending Sections 59.0102, 59.0103 and 59.0104 and repealing Sections 59.0105, 59.0106 and 59.0107, relating to the San Diego Jack Murphy Stadium and Parking Facility.
(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: Chapter IV, Article 9, Division 1, of the San Diego Municipal Code contains provisions that regulate certain activities at San Diego Jack Murphy Stadium. However, it does not provide a mechanism for regulating various behaviors, e.g. throwing objects in the Stadium and excessive rowdiness, that could disturb participants at a Stadium event and/or spectators. A Committee composed of the City Manager's Office, City Attorney's Office, Stadium Management, and Police and Fire Departments met to discuss revisions to the existing Ordinance. The process included the review of Ordinances from other cities which were quite extensive. After several meetings, including a meeting with major Stadium tenants, the Committee developed a revised Ordinance that conforms to current Police Department and Stadium security personnel enforcement practices and improves Stadium Management's control over various activities in the Stadium and parking facility. Significant changes to the existing Ordinance include prohibiting the following activities: throwing objects in the Stadium; exploding fireworks; entering the playing field or other

restricted area; bringing any liquid containers into the Stadium, selling any item in the Stadium or parking facility without a permit from the Stadium Manager; and entering the Stadium on non-event days or hours without permission. The revised Ordinance was unanimously approved by the Sub-Committee of the San Diego Stadium Authority Board of Governors at their January 31, 1986 meeting.

FILE: - -

COUNCIL ACTION: (Tape location: A410-420.)

CONSENT MOTION BY GOTCH TO INTRODUCE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-100:

Two actions relative to awarding contracts:

Subitem-A: (R-86-1364) ADOPTED AS RESOLUTION R-265054

Drew Ford for the purchase of 118 Police Patrol cars (1986 Ford LTD Crown Victoria with 302-V8 49 state engine), for a total cost of \$1,204,084.99, including tax, terms and trade-in allowance. (BID-6927)
Aud. Cert. 86665.

Subitem-B: (R-86-1363) ADOPTED AS RESOLUTION R-265055

Drew Ford for the purchase of Police sedans (pastels),
Item 1 - 15 Police sedans (1986 Ford LTD Crown Victoria "S" Model); Item 2 - 10 Police sedans (1986 Ford LTD Crown Victoria), for an actual cost of \$249,190.42, including tax. (BID-6928)
Aud. Cert. 86666.

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-101: (R-86-1366) ADOPTED AS RESOLUTION R-265056

Awarding contracts for the purchase of compact sedans, cargo vans and offroad vehicles, for a total cost of \$117,693.95, including tax, terms, less trade-in allowances, as follows: (BID-6934)

1. University Ford for Item 1 - one cargo van (1986 Ford E250 S24); Item 2 - three cargo vans (1986 Ford E150 E14); Item 4 - eight compact sedans.
 2. Carl Burger's Dodge World for Item 3 - one offroad vehicle (1986 Dodge Ram Charger AW150).
- Aud. Certs. 86667, 86668.

FILE: MEET

COUNCIL ACTION: (Tape location: A657-664.)

MOTION BY McCOLL TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-102:

Three actions relative to awarding contracts:

Subitem-A: (R-86-1369) ADOPTED AS RESOLUTION R-265057

Rodney Hunt Company for the purchase of three fabricated stainless steel slide gates with electric motor operators for a total cost of \$59,357.88, including tax and terms. (BID-6878)

Aud. Cert. 86680.

Subitem-B: (R-86-1411) ADOPTED AS RESOLUTION R-265058

Locator Services, Inc. for furnishing security guard service at the Central Library, as may be required for a period of one year beginning March 1, 1986 through February 28, 1987, for an estimated cost of \$48,048 for the first year, with options to renew the contract for four additional one-year periods, with a price escalation not to exceed 10 percent of prices in effect at the end of each prior year. (BID-6860)

Subitem-C: (R-86-1409) ADOPTED AS RESOLUTION R-265059

Tekcom, Inc. for the purchase of three communications/service monitors (IFR FM/AM-1200/4,6 including .2PPM TCXO) at a total cost of \$26,355.84, including tax and terms. (BID-6889)

Aud. Cert. 86679.

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,

Martinez-yea, Mayor-vacant.

* ITEM-103: (R-86-267) ADOPTED AS RESOLUTION R-265060

Inviting bids for Maintenance Surfacing Various City Streets Group "V-2" FY 86; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$72,000 from the Water Revenue Fund 41502, Unallocated Reserve 70679 to the Water Operating Fund 41500, Water Main Maintenance Program 70540; authorizing the City Auditor and Comptroller to transfer \$52,000 within the Sewer Revenue Fund 41506 from the Unallocated Reserve 70697 to the Sewer Main Maintenance Program 70440; authorizing the expenditure of not to exceed \$1,824,000 (\$1,700,000 from SB 300 Funds; \$72,000 from Water Utility Operating Fund 41500; and \$52,000 from Sewer Revenue Fund 41506) for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-6985)
(Hillcrest, North Park, Normal Heights, East San Diego, Southeast San Diego, Centre City, Golden Hill and Balboa Park Community Areas. Districts 2, 3, 4 and 8.)

CITY MANAGER REPORT: The proposed contract is to supplement the FY '86 Street Maintenance Program of resurfacing various City streets and is made possible by the receipt of SB 300 funds from the State. These funds must be used for street resurfacing and/or reconstruction in the current fiscal year. This specific use of these funds was approved by the Transportation and Land Use Committee at its meeting of December 16, 1985. Under the program standards, asphalt street should receive this resurfacing treatment every 21 years. Specific streets to be resurfaced are selected on the basis of an annual survey using the following criteria: age, oxidation, cracking, amount of patching, nature of use, and avoiding conflict with planned underground utility work. It is estimated that approximately 35 miles of streets will be resurfaced in the downtown, Hillcrest, North Park, Normal Heights, East San Diego, Golden Hill, Burlingame, Southeast San Diego and Balboa Park neighborhoods. The Utilities Department contributes funds to this contract to pay for the raising of sewer manhole covers and gate valve covers to the new surface elevation. Funds were not budgeted in the FY '86 Utilities Department budget to cover these two items; therefore, it is necessary to transfer funds from the Water and

Sewer Fund Unallocated Reserve.

Aud. Cert. 86621.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-104: (R-86-1410) ADOPTED AS RESOLUTION R-265061

Inviting bids for the construction of Pacific Beach Trunk Sewer Manhole Replacement - Phase I on Work Order No. 147223/037349; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the transfer of \$540,400 within the Sewer Revenue Fund 41506 from the Unallocated Reserve 70697 to the Sewer Main Maintenance Program 70440; authorizing the expenditure of funds not to exceed \$540,400 from Sewer Revenue Fund 41506; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7008) (Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT: As a result of the collapse of two manholes on the Pacific Beach Trunk Sewer, extensive sewage overflows into Mission Bay occurred on April 3 and April 12, 1985. These collapses were caused by severe structural deterioration of the concrete manhole walls from corrosive sewage gases. Based on those findings and potential future collapses, the City Manager recommended a program to inspect and replace or repair all deteriorated manholes on the Pacific Beach Trunk Sewer (City Manager Report CMR-85-223). This project is the first phase of that program. It includes replacement or repair of 51 manholes on the trunk sewer running from Tourmaline Surfing Park to the intersection of Balboa and Genesee Avenues. The manhole walls will include a plastic lining to protect concrete walls from future deterioration by sewage gases.

Aud. Cert. 86541.

WU-P-85-350.

FILE: W.O. 147223 CONFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-105: (R-86-1412) ADOPTED AS RESOLUTION R-265062

Inviting bids for the construction of San Ysidro Boulevard Storm Drain on Work Order No. 118538; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$260,000 from CIP-11-195, San Ysidro Boulevard Drain, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7022) (San Ysidro Community Area. District-8.)

CITY MANAGER REPORT: San Ysidro Boulevard currently conveys the storm water from an existing 36-inch culvert as overland flow in the street, creating the potential for flooding of public and private property. This project provides for construction of a storm drain system connecting the existing drain in San Ysidro Boulevard to the existing box culvert at the intersection of Virginia Avenue and Border Village Road. Aud. Cert. 86598.

FILE: W.O. 118538 CONFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-106:

Two actions relative to Ocean Boulevard Improvements - Phase 2:
(Pacific Beach Community Area. District-6.)

Subitem-A: (R-86-1378) ADOPTED AS RESOLUTION R-265063

Inviting bids for Ocean Boulevard Improvements - Phase 2 on Work Order No. 118619; authorizing the City Manager to apply for grant funds in the amount of \$120,000 from the Coastal Conservancy Access Grants Program for the construction of the Ocean Boulevard, Phase 2 Improvements, and to take all actions and execute all documents necessary to accept the funds, including the certification that the City has or will have sufficient funds to operate and maintain the project, and will provide any additional funds necessary to complete the project through the allocation of uncommitted funds; authorizing the City Manager to execute

a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to apply the \$120,000 grant funds, when accepted, to increase CIP-23-823.1 and to expend \$120,000, upon advice of the City Manager or administering department, for the execution of the contract and related costs; authorizing the expenditure of an amount not to exceed \$381,510 from CIP-23-823.1 and \$71,352 of previously encumbered funds in Capital Outlay Fund 30245 - Ocean Boulevard Improvements - Phase 1 (completed) for use in the execution of the contract and related costs; authorizing the execution of all documents necessary for acceptance on behalf of the City of San Diego of four irrevocable offers of dedication for coastal access.
(BID-7025)

Subitem-B: (R-86-1377) ADOPTED AS RESOLUTION R-265064
Certifying that the Addendum to the Environmental Impact Report EIR-81-07-18, filed March 7, 1985, previously authorized by Resolution R-257321, has been reviewed and considered by the Council and that no further findings are necessary.

CITY MANAGER REPORT: Phase 1 of the Ocean Boulevard Improvement Project was completed in 1984. The Resolutions recommended for Council adoption authorize construction of one block of the three blocks in Phase II of this project. Proposed improvements include turf areas, a seawall, a pedestrian mall, trees, and stairway accesses to the beach. Phase II will be partially funded by a Coastal Conservancy Grant for \$120,000. A condition of this grant is that the City accept beach access dedications resulting from Coastal Commission actions. The Park and Recreation and Risk Management Departments recommended approval of four of the ten such dedications submitted by the Coastal Conservancy. The conservancy staff have indicated these four will satisfy their requirements for grant approval.

Aud. Cert. 86607.

NOTE: See Item 107.

FILE: W.O. 118619 CONFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-107: (R-86-1376) ADOPTED AS RESOLUTION R-265065

Authorizing the closure of Ocean Boulevard to vehicular traffic from Garnet Avenue to Hornblend Street, pursuant to the authority under California Vehicle Code Section 21101; authorizing the installation of the necessary signs and markings on said streets; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT: In October, 1982, the City Council approved the Ocean Boulevard Master Plan and Environmental Impact Report. The plan provided for the permanent closure of 4 1/2 blocks of Ocean Boulevard to vehicular traffic and the installation of a recreation-pedestrian mall and other park improvements from Diamond Street to Thomas Avenue. Subsequently, the State Coastal Commission granted a permit for the closure of Ocean Boulevard and the installation of the first phase improvements from Diamond Street to Garnet Avenue. Construction of the first phase was completed in 1984. The proposed Resolution provides for the closure of one block of Ocean Boulevard from Garnet Avenue to Hornblend Street in order to proceed with the second phase of the Ocean Boulevard Improvements. This will terminate and turn the northerly one-way traffic of Ocean Boulevard easterly on Hornblend Street. The street closing will eliminate 23 parking spaces. These spaces have been recaptured with the creation of angle parking on certain streets within the Beach Impact Area where parallel parking previously existed. Vehicular traffic will be allowed until the commencement of construction in February, 1986.

NOTE: See Item 106.

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-108: (R-86-1391) ADOPTED AS RESOLUTION R-265066

Vacating the street reservation in Lots 1 and 113 of Bernardo Heights Unit 20, Map-11099, under the procedure for the summary vacation of streets and public service easements, where a street has been superseded by relocation; declaring that the resolution shall not become effective unless and until the final subdivision map for Carmel Mountain Ranch Unit 7 (TM-84-0912) has been approved

by Council action; in the event that the final map is not approved by June 10, 1988, this resolution shall become void and be of no further force or effect.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: The street reservation south of Avenida Venusto and within Lots 1 and 113 of Bernardo Heights Unit 20, Map-11099, is being vacated as a condition of Carmel Mountain Ranch Unit 7. The street reservation being vacated was acquired in connection with Bernardo Heights Unit 20. There are no improvements or public utilities within the right-of-way. The subdivision map will dedicate and improve a new street alignment to provide access to the commercial and residential complexes. Staff review has indicated that the right-of-way is no longer needed for present or prospective public use and can be summarily vacated conditioned upon the recording of the final map for Carmel Mountain Ranch Unit 7, TM-84-0912. This application has been processed in accordance with Council Policy 600-15.

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FILE: DEED F-3236 STRT J-2591 DEEDFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-109: (R-86-1396) ADOPTED AS RESOLUTION R-265067

Resolution of Intention to vacate Via Cortina north of Via Aprilia and adjacent to Lot 31, Block 1 and Lot 1, Block 2 of Map-1527, Lot 60 of Map-7510 and Lot 2 of Map-6996, under the provisions of the Public Streets, Highway, and Service Easements Vacation Law; setting the time and place for a public hearing.

(Torrey Pines Community Area. District-1.)

CITY MANAGER REPORT: The applicant has requested the vacation of Via Cortina north of Via Aprilia and adjacent to Lot 31, Block 1, and Lot 1, Block 2 of Map-1527, Lot 60 of Map-7510, and Lot 2 of Map-6996, to facilitate future development. Via Cortina is unimproved. It contains several facilities which include water and sewer lines and other general utilities for which easements are to be reserved. In addition, a pedestrian and non-vehicular easement will also be reserved to accommodate school children who use this right-of-way as a route to the Del Mar Heights elementary school. The portion of Via Cortina being

vacated is used currently for parking by the adjacent property owners but is not needed for traffic circulation. This right-of-way is occupied by a 24-inch water main which would be a potential hazard if a structure were to be built in close proximity. At present, a structure is precluded from building too close by the normal setbacks. However, if the street is vacated, this protection will no longer be available. The applicant has agreed to the establishment of a setback through the grant of a building restriction easement. Staff review has indicated that the right-of-way is no longer needed for present or prospective public use and can be vacated conditioned upon obtaining an Engineering Permit for construction of required improvements to Via Aprilia.

FILE: STRT J-2592

COUNCIL ACTION: (Tape location: A665-683.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-110: (R-86-1441) ADOPTED AS RESOLUTION R-265068

Vacating the City's interest in an unneeded sewer easement affecting Parcel 1 of Parcel Map PM-13465.

(Located on the northeast corner of Ohio Street and Howard Avenue. North Park Community Area. District-3.)

CITY MANAGER REPORT: The Water Utilities, Engineering and Development, and Property Department have reviewed an application for the abandonment of a 4-foot-wide sewer easement in a parcel of land located at the northeast corner of Howard and Ohio Streets in North Park. The easement, which the City acquired without cost in 1924, was never used for sewer purposes, and has no present or potential value to the City. It is recommended that a Resolution be adopted to abandon the easement.

WU-PR-86-003.

FILE: DEED F-3237 DEEDFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-111: (R-86-1442) ADOPTED AS RESOLUTION R-265069

Authorizing the sale by negotiation of Parcel "OO," Lot 19, Rancho Mission for the sum of \$2,750 to Oscar T. Topper, Irwin B. Topper and Samuel H. Lasry; authorizing the execution of a grant deed, granting to Oscar T. Topper, Irwin B. Topper and Samuel H. Lasry said property; determining that no broker's commission shall be paid by the City on said negotiated sale.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: The City has been approached by the adjacent ownership of Topper, Lasry, Topper to purchase 327.62 square feet of right-of-way located between the interior sideyard of their parcel and the Chollas Creek Channel. The adjacent parcel was improved with a 6,000-square-foot warehouse, the foundation of which presently encroaches onto the subject right-of-way. The warehouse has been removed in order to construct a new 10,864-square-foot warehouse and the City's right-of-way will be used in the construction thereof. The Floodplain Management Section of the Engineering and Development Department has agreed to the right-of-way line adjustment for Chollas Creek Channel. The property has been appraised at \$2,750 by a staff appraiser. As a condition of the sale, a consolidation map joining the right-of-way with the adjacent parcel will be required.

FILE: DEED F-3238 DEEDFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-112: (R-86-1337) ADOPTED AS RESOLUTION R-265070

Declaring that the City Council does not oppose the proposed Palomar/Bay Boulevard Reorganization; and further that it will not exercise the authority available under Government Code Section 56003.1 to object to such reorganization.

(See Planning Department Report PDR-86-028; Communication Form from Ruth Schneider dated 2/3/86.)

COMMITTEE ACTION: Reviewed by RULES on 2/3/86. Recommendation to adopt the Resolution. Districts 2, 5 and 8 voted yea. District 3 not present.

FILE: ANNX - Palomar/Bay Boulevard Reorganization

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed

by the following vote: Wolfsheimer-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.

ITEM-113: (R-86-1449) CONTINUED TO FEBRUARY 24, 1986

Authorizing the City Manager to expend an amount not to
exceed \$10,000 from Open Space Bond Fund 79103 for the
appraisal of 3.6 acres in Mid-City Canyon Addition C (32nd
Street Canyon) for purposes of acquisition as open space.
(See City Manager Report CMR-85-583. Greater Golden Hill
and Park North-East Community Areas. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 1/8/86. Recommendation
to approve the City Manager's report. Districts 1, 2, 5 and 7
voted yea. District 6 not present.

Aud. Cert. 86652.

FILE: STRT OS-1

COUNCIL ACTION: (Tape location: B008-101.)

Motion by Wolfsheimer to limit the cost of appraisal to \$3,000.
No second.

MOTION BY GOTCH TO CONTINUE FOR ONE WEEK AT HIS REQUEST. Second
by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea,
Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea,
McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-114: (R-86-1300) CONTINUED TO APRIL 15, 1986

Expressing support for the past efforts of the SANDAG
Military Housing Task Force to locate alternative sites for
Navy housing in San Diego; recommending that the SANDAG
Military Housing Task Force be reactivated to review the
existing site inventory and to identify additional sites
for Navy housing; designating Council Member Judy McCarty,
City Council District 7, as the liaison to work with SANDAG
on the issue of Navy housing.

(See City Manager Report CMR-86-9. Mid-City Community
Area. District-3.)

COMMITTEE ACTION: Reviewed by PFR on 1/8/86. Recommendation to
reestablish the Naval Housing Task Force to reevaluate proposed
sites, and identify new sites, and recommend Council Member
McCarty as the City liaison. Districts 1, 2 and 7 voted yea.
Districts 5 and 6 not present.

FILE: --

COUNCIL ACTION: (Tape location: A297-390.)

MOTION BY McCARTY TO CONTINUE INDEFINITELY. Second by Martinez.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

MOTION BY McCARTY TO RECONSIDER. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

MOTION BY GOTCH TO CONTINUE TO APRIL 15, 1986. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-115: (R-86-1452) ADOPTED AS RESOLUTION R-265071

Authorizing the following individuals to execute applications and documents for the purpose of obtaining financial assistance under the Federal Civil Defense Act of 1950, as amended (50 App. U.S.C., Sections 2251-2297), and under the Disaster Relief Act (Public Law 288, 93rd Congress) for and on the behalf of the City of San Diego:

Sylvester Murray, City Manager
George J. Penn, Assistant to City Manager
Libby Watson, Director of Financial Management,
(alternate)

Rescinding Resolution R-260143, adopted on February 21, 1984.

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-116: (R-86-1443) ADOPTED AS RESOLUTION R-265072

Approving the Purchasing Department's Records Disposition Schedule.

(See City Clerk Report CC-86-02.)

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-117: (R-86-1460) ADOPTED AS RESOLUTION R-265073

Authorizing the execution of an agreement with Bement-Dainwood-Sturgeon to provide environmental and construction documents for the design and construction of street improvements on Fairmount Avenue; authorizing the expenditure of an amount not to exceed \$260,000 from CIP-52-182.0, Fairmount Avenue - Federal Boulevard to Home Avenue, for the purpose of providing funds for the above project.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: Fairmount Avenue between Federal Boulevard and Home Avenue is classified as a collector street. The existing grades and alignment do not meet the established geometric criteria for a collector street. This project will realign Fairmount Avenue and provide road facilities that will accommodate two through lanes of traffic in each direction and a Class II Bikeway. The agreement with Bement-Dainwood-Sturgeon will provide environmental and construction documents for the improvement of Fairmount Avenue between Home Avenue and Federal Boulevard. The consultant was chosen in accordance with Council Policy 300-7, and this firm is therefore recommended for Council approval.

Aud. Cert. 86672.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

* ITEM-118: (R-86-1450) ADOPTED AS RESOLUTION R-265074

Authorizing the execution of an agreement with Cooper and Associates for engineering services for the design of Sewer and Water Main Replacement Groups 460 and 461; authorizing the expenditure of an amount not to exceed \$30,087 for Sewer Main Replacement Group 460 and \$14,708 for Sewer Main Replacement Group 461 from the Sewer Revenue Fund 41506, Annual Allocation for Sewer Main Replacements (CIP-44-001) for providing funds for the above project; authorizing the expenditure of an amount not to exceed \$86,323 for Water Main Replacement Group 460 and \$74,171 for Water Main Replacement Group 461 from the Water Revenue Fund 41502, Annual Allocation for Water Main Replacements (CIP-73-083).

(Mid-City and Southeast San Diego Community Areas.
Districts-3, 4 and 8.)

CITY MANAGER REPORT: The proposed agreement provides for consultant design services for two water and sewer main replacement jobs. Under the terms of the agreement, Cooper and Associates will prepare construction drawings, specifications, and cost estimates for the construction of Sewer Main Replacement Groups 460 and 461 located in the Mid-City and Southeast San Diego Community Planning areas of the City. Approximate lengths of mains to be replaced are 13,890 lineal feet and 10,605 lineal feet for Groups 460 and 461, respectively.

Aud. Cert. 86636.

WU-U-85-358.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-119: (R-86-1374) ADOPTED AS RESOLUTION R-265075

Authorizing the execution of a first amendment to the agreement with Lawrence, Fogg, Smith and Associates, dba William A. Steen and Associates, to provide professional engineering services in connection with the improvement of Beyer Boulevard from Route 117 to the North City Limit; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$40,000 from CIP-90245, Unallocated Reserve, to CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limit; authorizing the expenditure of an amount not to exceed \$40,000 from CIP-52-110.2, Beyer Boulevard - Route 117 to North City Limit, to provide funds for the above project.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER REPORT: On June 9, 1980, the City of San Diego entered into an agreement with Lawrence, Fogg, Smith and Associates for professional engineering services in connection with the improvement of Beyer Boulevard from Route 117 to the North City Limit. The consulting firm is now doing business as William A. Steen and Associates. The original agreement had a sum not to exceed \$15,000 for additional engineering services, if required by the City, due to changed conditions, standards or requirements to provide the working drawings and specifications

for the project. Because of unforeseen changes created by land development of adjacent properties, it is necessary to redesign portions of the project. Also, the State of California, Department of Transportation (CalTrans), which is the clearing and reviewing agency for Federal Aid Urban (FAU) projects, such as Beyer Boulevard, is requiring the City to have an independent plan check performed for the bridge design over the Otay River. Since the original \$15,000 has been allocated for City-requested changes and approximately \$10,000 is needed to perform the independent structural check, additional funding for future City-initiated changes is needed.

Aud. Cert. 86620.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: B104-262.)

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-120: (R-86-1439) CONTINUED TO FEBRUARY 24, 1986

Authorizing the execution of a first amendment to the option agreement with San Diego Musical Arts Foundation, for the restoration of the House of Charm in Balboa Park, for the operation of a performing arts center.
(Balboa Park Community Area. District-8.)

CITY MANAGER REPORT: The San Diego Musical Arts Foundation has requested a two year extension, to August 8, 1988, of its three year option to the House of Charm in Balboa Park. The Foundation's financing strategy is to secure one to a few large contributions to finance the multi-million dollar project. They report considerable success in the cultivation of a number of potential donors, with initial expressions of interest from two qualified donors. The principal need for this extension is that donors of this magnitude will almost certainly use appreciated assets to fund the project. Various proposals before Congress include proposals to eliminate deductions of appreciated assets at market value, and other questions are created by proposed tax changes. Tax advisors are recommending deferral of major contributions until these rules are clarified. This amendment not only extends the term of the option agreement by two years but also modifies the schedule for certain submittals to be consistent with that extension.

FILE: --

COUNCIL ACTION: (Tape location: B264-311.)

MOTION BY WOLFSHEIMER TO CONTINUE FOR ONE WEEK. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-200: (R-86-1266 Rev. 1) ADOPTED AS RESOLUTION R-265076

(Continued from the meeting of February 3, 1986, Item 207, at the City Manager's request.)

Prohibiting commercial vehicles with a gross vehicle weight of over 10,000 pounds from operating on 41st Street between Market and "J" Street; "J" Street between 41st and Morrison Streets; and Morrison Street between Market and "J" Streets; authorizing the installation of the necessary signs and markings; declaring that the hereinabove regulations shall become effective upon the installation of such signs.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: The proposed prohibition of commercial vehicles having a gross vehicle weight over 10,000 pounds on 41st Street between Market and "J" Streets was requested by the property owners representing 83 percent of the affected frontage. Staff has no objections to the proposed prohibition.

FILE: MEET

COUNCIL ACTION: (Tape location: B528-583.)

MOTION BY JONES TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-201: (R-86-1496) ADOPTED AS RESOLUTION R-265077

Confirming the reappointment of Edward Millican as a member of the San Diego Planetarium Authority Governing Board for a term expiring April 12, 1989.

FILE: MEET

COUNCIL ACTION: (Tape location: B584-588.)

MOTION BY MARTINEZ TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-202:

Two actions relative to incorporating a portion of Section

1, Township 14 South, Range 4 West, SBBM, (approximately 20 acres) located 500 feet north of Via de la Valle, 2,000 feet east of San Andres Drive, into Zone R1-15000. (Case-85-0639. San Diego River Valley Community Area. District-1.)

Subitem-A: (R-86-1471) ADOPTED AS RESOLUTION R-265088

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0639 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-86-130) ADOPTED AS ORDINANCE O-16600 (New Series)

Adoption of an Ordinance for R1-15000 Zoning. (Introduced on 2/4/86. Council voted 6-0. Districts 3 and 6 not present. Mayor vacant.)

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: C257-269;E121-151.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

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ITEM-203: CONTINUED TO MARCH 17, 1986, AT 2:00 P.M.

Matters of:

- 1) Rezoning a portion of Lot 14 of Tibbett's Tract, known as Parcels 634-070-32 and 634-070-33 (an approximately 9.7-acre site), located on the west side of I-5 and Oro Vista Road, and south of Grove Avenue in the Otay Mesa-Nestor Community Plan area, from Zone A-1-1 to Zone R-3000; and
- 2) A proposal to approve an amendment to the Otay Mesa-Nestor Community Plan to change the land use designation from low density residential to low-medium density residential (10-15 dwelling units per acre) on the above-described real property. (Case-85-0170. District-8.)

Subitem-A: (R-86-1282)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-85-0170 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-86-133)

Introduction of an Ordinance for R-3000 Zoning.

Subitem-C: (R-86-1281)

Adoption of a Resolution approving the amendment to the Otay Mesa-Nestor Community Plan, to become effective when the amendment to the General Plan Map is adopted after the next omnibus hearing.

FILE:

Subitem-A - ZONE ORD. NO.

Subitem-B - LAND Otay Mesa-Nestor Community
Plan

COUNCIL ACTION: (Tape location: C270-443.)

Hearing began at 11:15 a.m. and halted at 12:06 p.m.

Testimony in favor by Donald O. Lohr.

Testimony in opposition by Ruth Schneider.

Motion by Martinez to approve staff recommendation. No second.

MOTION BY MARTINEZ TO CONTINUE TO MARCH 17, 1986, AT 2:00 P.M.

AT HIS REQUEST. Second by McCarty. Passed by the following

vote: Wolfsheimer-yea, Cleator-not present, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,

Mayor-vacant.

ITEM-204: (O-86-127) CONTINUED TO MARCH 4, 1986 AT 2:00 P.M.

A proposal to approve the Marina Interim Planned District Ordinance. This interim ordinance specifies by sub-area the land uses permitted as well as the percentage amount of general land use for each development. The proposed ordinance will be in effect for a period of one year following the effective date of adoption and will supersede the underlying M-1 and M-2 Zones during that period. The subject property is located within an area generally bounded by Market Street and Harbor Drive on the south, Fourth Avenue on the east, Pacific Highway on the west and

"F" Street on the north.

(District-8.)

Introduction of an Interim Ordinance defining land uses permitted in a portion of the Marina Redevelopment Project Area.

FILE: LAND - Marina Interim Planned District
Ordinance

COUNCIL ACTION: (Tape location: E152-G314.)

Hearing began at 3:05 p.m. and halted at 4:42 p.m.

Testimony in favor by John Thelan, Ed Levine, Hal Sadler, William Sauls, Tom Hom and Beverly Gip.

Testimony in opposition by Kipland Howard, Larry Cushman, A. H. Quin, Jim Ahearn, Fritz Ahearn and Charles McDonnell.

Motion by Martinez to implement the ordinance as recommended by staff with the exception of Sub-area C, including the area between Second and Third Streets and Island and J Streets, which is to be brought back in two weeks. Second by Wolfsheimer. No vote on the motion.

MOTION BY MARTINEZ TO CONTINUE FOR TWO WEEKS AND DIRECT STAFF TO EXPLORE THE VARIOUS CHINESE BUILDINGS WITHIN THE AREA INDICATED IN "H" AND SEE HOW THEY CAN BE CONGREGATED INTO A CHINATOWN USE. REPORT BACK TO THE AGENCY IN TWO WEEKS WITH A WORK PROGRAM ON THE CHINATOWN CONCEPT AND BRING BACK A MORE DETAILED REPORT IN SIX WEEKS. Second by Cleator. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-not present, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-205: CONTINUED TO APRIL 1, 1986

(Continued from the meeting of January 21, 1986, Item 331, at Council Member Wolfsheimer's request.)

Matter of a proposal to amend the Rancho Bernardo Community Plan. This amendment would designate land currently identified as a school site in the Rancho Bernardo Community Plan, for low density (1-9 DU/AC) residential development. The subject property is located at the southeast corner of the intersection of Pomerado Road and Escala Drive, in the Rancho Bernardo Community Plan area, and is further described as Lot 1 of Tennis Ranch Unit 7, Map-10277.
(District-1.)

Subitem-A: (R-86-1207)

Adoption of a Resolution certifying that the information

contained in Environmental Mitigated Negative Declaration EMND-85-0599 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-1206)

Adoption of a Resolution approving the Rancho Bernardo Community Plan amendment.

FILE: LAND - Rancho Bernardo Community Plan

COUNCIL ACTION: (Tape location: A274-296.)

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 1, 1986, AT THE REQUEST OF THE DEVELOPER. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-310:

Five actions relative to presenting commendations:

Subitem-A: (R-86-1502) ADOPTED AS RESOLUTION ADOPTED AS RESOLUTION R-265089

Presenting a commendation to Don Rodger for setting an example of courage and human love by acting in the spirit of the good samaritan.

Subitem-B: (R-86-1503) ADOPTED AS RESOLUTION R-265090

Presenting a commendation to Jeffrey Gratton for setting an example of courage and human love by acting in the spirit of the good samaritan.

Subitem-C: (R-86-1504) ADOPTED AS RESOLUTION R-265091

Presenting a commendation to John R. Weishaupt for setting an example of courage and human love by acting in the spirit of the good samaritan.

Subitem-D: (R-86-1505) ADOPTED AS RESOLUTION R-265092

Presenting a commendation to Kristin Harris for setting an example of courage and human love by acting in the spirit of the good samaritan.

Subitem-E: (R-86-1506) ADOPTED AS RESOLUTION R-265093

Presenting a commendation to the men and women of the City Lifeguard Service for their characteristically timely and

professional performance of life saving duties.

FILE: MEET

COUNCIL ACTION: (Tape location: D011-140.)

MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-330: CONTINUED TO FEBRUARY 24, 1986, AT 2:00 P.M.

A proposal to approve a revised General Plan Housing Element.

The revised Housing Element includes an identification and analysis of the City's housing needs; a statement of goals, policies, and quantified objectives; and a five-year program of actions intended to achieve those quantified objectives.

The proposed revision of the Housing Element is the draft report entitled "City of San Diego Housing Element (July, 1985)", and the Planning Department recommended changes contained in Attachments B and C of Planning Department Report PRD-86-080. Copies of both reports may be reviewed in the Planning Department, 4th Floor, City Administration Building, 202 "C" Street, San Diego, California.

Subitem-A: (R-86-459)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0357 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-458 Rev.)

Adoption of a Resolution approving the revised Housing Element.

FILE: LAND - Progress Guide and General Plan

COUNCIL ACTION: (Tape location: H215-230.)

MOTION BY MCCOLL TO CONTINUE TO FEBRUARY 24, 1986, AT 2:00 P.M., AT HER REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-not present, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-331: CONTINUED TO MARCH 4, 1986, AT 2:00 P.M.

Appeal of the County of San Diego, Department of Planning and Land Use, by Walter C. Ladwig, Director, from the decision of the Planning Commission in approving Tentative Map TM-85-0578 (San Diego Business Park), which proposes a 24-lot industrial subdivision and potential street reservation for proposed highway number SR 117. The subject 79.4-acre site is located on the south side of Otay Mesa Road, east of Harvest Road, and is further described as a portion of Section 36, Township 18 South, Range 1 West, S.B.B.M., in the Otay Mesa Development District, Industrial Subdistrict, in the Otay Mesa Community Plan area.
(TM-85-0578. District-8.)

Subitem-A: (R-86-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0578 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-)

Adoption of a Resolution granting the appeal and denying the map or denying the appeal and granting the map with appropriate findings to support Council action.

FILE: SUBD - San Diego Business Park

COUNCIL ACTION: (Tape location: D201-E120.)

Testimony in favor of the continuance by Brain Bilbray and David Malcolm.

Testimony in opposition to the continuance by Rebecca Michael and Mike Murphy.

MOTION BY MARTINEZ TO CONTINUE TO MARCH 4, 1986, AT 2:00 P.M., AT HIS REQUEST, TO ALLOW FOR FURTHER REVIEW BY MEMBERS OF THE OTAY MESA POLICY TASK FORCE. Second by Cleator. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-nay, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S400: (R-86-1495) ADOPTED AS RESOLUTION R-265053

Establishing the week of February 24, 1986 as the week for all concerned San Diegans to "Rally Against Drug Abuse," culminating on March 1, 1986 with a march to the Broadway

Pier; declaring the City's commitment to fight youth drug abuse and urging all San Diegans to participate in week-long activities which emphatically say "NO TO DRUGS".

FILE: MEET

COUNCIL ACTION: (Tape location: A097-260.)

MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S401: CONTINUED TO MARCH 3, 1986

Two actions relative to the exclusive lease agreement with Quetzal Bilingual Communications, Inc.:
(Lakeside Community Area.)

Subitem-A: (R-86-1526)

Authorizing the execution of a 20-year lease agreement with Quetzal Bilingual Communications, Inc. of approximately 14 acres of City-owned land downstream from San Vicente Dam and Reservoir, for the purpose of installing radio antennas and related facilities, for an initial annual rent of \$12,000.

Subitem-B: (R-86-1527)

Certifying that the information contained in the Notice of Negative Declaration prepared by the County of San Diego, issued in connection with the lease of City-owned property to Quetzal Bilingual Communications, Inc., has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by PFR on 2/12/86. Recommendation to adopt. Districts 1, 2, 5 and 7 voted yea.

CITY MANAGER REPORT: Mr. Mateo Camarillo, President of Quetzal Bilingual Communications, Inc., has requested a lease agreement for approximately 14 acres of City-owned land immediately downstream from San Vicente Dam and Reservoir. He proposes to lease the land for the purpose of installing radio antennas, facilities, and related equipment necessary for operating a bilingual radio station. The parcel is subject to extensive flood damage and erosion whenever San Vicente Creek overflows its banks, and for this reason the installation and operation of radio antennas is probably the only suitable use of

the property. In the event flooding occurs and the antennas or other equipment are damaged, repairs can be made or replacements installed without too much difficulty. Accordingly, an exclusive lease agreement was negotiated with Mr. Camarillo which provides for the following: The property is to be used for installing and maintaining three radio transmitting towers, radio receiving equipment and related facilities for operating a bilingual radio station. The rent is \$12,000 annually, and will be adjusted periodically over the term of 20 years accordingly to the Consumer Price Index. The agreement contains a special provision which specifies that if any of Mr. Camarillo's property is damaged by flooding or erosion, such damage will be his sole responsibility.

WU-P-85-372.

FILE: - -

COUNCIL ACTION: (Tape location: B320-321;B594-C254.)

Motion by Martinez to adopt. Second by Gotch. No vote taken.

MOTION BY McCARTY TO CONTINUE TO MARCH 3, 1986, AT WHICH TIME THE CITY MANAGER IS TO REPORT BACK ON COMPARATIVE LEASE PRICES, TO HAVE PROPONENTS PRESENT TO ANSWER ANY QUESTIONS, AND TO HAVE SOMEONE FROM THE COUNTY HEALTH DEPARTMENT PRESENT TO ANSWER QUESTIONS WITH RESPECT TO THE RADIOACTIVE FALLOUT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-nay, Mayor-vacant.

* ITEM-S402:

Six actions relative to amending the Conflict of Interest Code:

Subitem-A: (R-86-1534) ADOPTED AS RESOLUTION R-265078
Amending the Conflict of Interest Code for the Fire Department by amending Exhibit "A", relating to designated positions, duties and categories.

Subitem-B: (R-86-1535) ADOPTED AS RESOLUTION R-265079
Amending the Conflict of Interest Code for the City Treasurer by amending Exhibit "A", relating to designated positions, duties and categories.

Subitem-C: (R-86-1536) ADOPTED AS RESOLUTION R-265080
Amending the Conflict of Interest Code for the Police Department by amending Exhibit "A", relating to designated positions, duties and categories.

Subitem-D: (R-86-1537) ADOPTED AS RESOLUTION R-265081
Amending the Conflict of Interest Code for the Property
Department by amending Exhibit "A", relating to designated
positions, duties and categories.

Subitem-E: (R-86-1538) ADOPTED AS RESOLUTION R-265082
Amending the Conflict of Interest Code for the Financial
Management Department by amending Exhibit "A", relating to
designated positions, duties and categories.

Subitem-F: (R-86-1539) ADOPTED AS RESOLUTION R-265083
Amending the Conflict of Interest Code for the Park and
Recreation Department by amending Exhibit "A", relating to
designated positions, duties and categories.

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed
by the following vote: Wolfsheimer-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,
Martinez-yea, Mayor-vacant.

* ITEM-S403: (R-86-1533) ADOPTED AS RESOLUTION R-265084

Approving the transfer of funds to the Redevelopment Agency
to pay for public improvements for the Horton Grand Hotel,
in an amount not to exceed the sum of \$60,000 from Fund
30244, Org. 106, Account 4881, Job Order 390710; declaring
that said funds are to be used for an agreement with L. R.
Hubbard Construction Company, Inc. for construction of
street and sidewalk improvements located within the Marina
Redevelopment Project.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: The Centre City Development Corporation
(CCDC) recently received bids for the construction of public
improvements on Island Avenue between 3rd and 4th Avenues. This
forms the northern boundary of the Horton Grand Hotel
reconstruction project. The lowest bid for the public
improvements was \$247,054, a difference of \$55,254 over the
authorized budget of \$191,800. Since 50 percent of Island
Avenue falls within the Gaslamp Quarter Project, CCDC requested
that the Gaslamp Quarter finance the difference utilizing its
annual allocation of Capital Improvement Project Funds. On
February 4, 1986, the Gaslamp Quarter Council heard the matter
of CCDC's request to utilize the Gaslamp Quarter's Capital
Improvement Project Funds to pay for public improvements. They

concurred with the request and recommended that the Council approve the expenditure. The Manager concurs with this request and recommends that the Council approve the expenditure. The Agency action to award the public improvements contract will be February 11, 1986.

Aud. Cert. 86695.

FILE: MEET

COUNCIL ACTION: (Tape location: A621-656.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S404:

(Continued from the meetings of January 27, 1986, Item 200 and February 11, 1986, Item 330; last continued at the City Manager's request.)

Three actions relative to the Police Officers' Association (POA) Ballot Measure Initiative:

Subitem-A: (O-86-140) INTRODUCED AND ADOPTED AS
ORDINANCE O-16599 (New Series)

Introduction and adoption of an Ordinance ordering and calling a Special Municipal Election to be consolidated with the Statewide Primary Election to be held on Tuesday, June 3, 1986 to submit a POA ballot measure initiative to the voters of the City of San Diego.

Subitem-B: (R-86-1401) ADOPTED AS RESOLUTION R-265085

Adoption of a Resolution requesting the Board of Supervisors (Registrar of Voters) to conduct the consolidated election.

Subitem-C: (R-86-) CONTINUED TO MARCH 3, 1986

The matter of Council discussion of an argument for or against the proposal and authorizing the submittal of the argument by a member or members of the Council as designated.

Aud. Cert. 86625.

FILE: MEET

COUNCIL ACTION: (Tape location: A269-273;B327-517.)

MOTION BY GOTCH TO CONTINUE SUBITEM-C TO MARCH 3, 1986, AT THE REQUEST OF THE CITY MANAGER. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

MOTION BY MARTINEZ TO APPROVE STAFF RECOMMENDATION REGARDING
SUBITEM-A AND SUBITEM-B. Second by McColl. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

ITEM-S405: (R-86-1543) ADOPTED AS RESOLUTION R-265094

Declaring that pursuant to Rule 1 (d) of the Permanent
Rules of the Council, set forth in Section 22.0101 of the
San Diego Municipal Code the quarterly night City Council
meeting shall be scheduled for March 18, 1986, commencing
at 7:00 p.m. in Sherwood Hall at the La Jolla Museum of
Contemporary Art, for consideration of the
Residential-Cultural Zone amendments to the La Jolla
Commercial Areas Planned District Ordinance.
(La Jolla Community Area. District-1.)

FILE: MEET

COUNCIL ACTION: (Tape location: D141-200.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Jones. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor-vacant.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy
Mayor Struiksma at 6:31 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: J029-046).